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Arizona Corporation Commission
Docket Control

1200 West Washington Street
Phoenix, AZ 85007

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Docket No. SW-02361A-08-0609

Commissioners
Gary Pierce, Chairman
Paul Newman
Sandra D. Kennedy
Bob Stump
Brenda Burns

AZ CORP COMMISSION
DOCKET CONTROL

Administrative Law Judge
Dwight Nodes

Dear Commissioners and Judge Nodes,

7 November 2012

The undersigned wish to make a statement regarding the petition currently before the Commission of the Boulders Homeowners Association seeking the de-commissioning and closure of the Boulders East Plant, a sewage processing plant located in the midst of the Boulders Community in Carefree and North Scottsdale and operated by Black Mountain Sewer/Liberty Water. This statement follows:

Thank you for this opportunity to comment. We would like to make three main points:

- 1) Odor and noise pollution regularly assaults residents, restricts use of our public spaces; and has decreased property values within the community.
- 2) The sewage treatment plant within the Boulders Community is outmoded and in an inappropriate site.
- 3) Granted there is a contract between two corporations regarding water treatment and the grey water output of the plant, but surely those interests must take into account the pollution generated within a residential community.

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- Although we do not live immediately adjacent to the treatment plant, noxious odors regularly fill the air in and around our home.
 - Home owners and their visitors have lost enjoyment of the community's quiet streets and (before/after hours) golf pathways which become far

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from pleasant when the area is flooded with the distasteful odors emanating from the plant.

- Home owners adjacent to the plant or frequently down wind from it have, in particular, watched their property lose value.
- The sewage treatment plant was placed within the community at a time when flow-through was dramatically less. Its designed capacity in no way took into account the volume of sewage being processed there now. The premise for the plant is no longer valid.
- Attempts to upgrade or 'fix' the plant have been unsuccessful in addressing the odor and noise pollution problem.
- The Resort may or may not realize its interest in resolving this problem. Are its managers and promoters unaware of the reaction of their golfing clients to the unsavory odors they must play through? Many resort guests walk and cycle in the north community - is the Resort aware of their reaction after reaching the air space of the treatment plant?
- We have been told both the Resort and the treatment plant owners would like to find a solution but have been unable to reach an agreement. Is it not time for a mediated or arbitrated resolution?

Thank you for your consideration.

Sincerely,

Robert and Kathleen Hindle



Printed Name(s): Robert and Kathleen Hindle

Street Address: 2005 Smoketree Drive

Mailing Address: PO Box 2509

City, State, ZIP: Carefree, Arizona 85377